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Atty. Dkt. No. 085449-0203

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: VETTER et al.

Title: INCREMENTAL REAL-TIME  
RECORDING OF TRACKED  
INSTRUMENTS IN TUBULAR ORGAN  
STRUCTURES INSIDE THE HUMAN  
BODY

Appl. No.: 10/590,195

International 3/3/2005

Filing Date:

371(c) Date: 4/25/07

Examiner: Unassigned

Art Unit: 3731

Confirmation 6937  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the foreign-language document is described in the present specification. An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: May 25, 2007

By \_\_\_\_\_

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Application Number</b>	10/590,195
Date Submitted: May 25, 2007		<b>Filing Date</b>	3/3/2005
(use as many sheets as necessary)		<b>First Named Inventor</b>	Marcus Vetter
		<b>Art Unit</b>	Unassigned
		<b>Examiner Name</b>	Unassigned
<b>Sheet</b>	1 of 1	<b>Attorney Docket Number</b>	085449-0203

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
		Stanley, "Prognostic Factors for Survival in Patients with Inoperable Lung Cancer," JNCL. Vol. 65, No. 1, Jul. 1980, pp. 25-32.	
		Harms et al., "Contemporary Role of Modern Brachytherapy Techniques in the Management of Malignant Thoracic Tumors," Seminars in Surgical Oncology, 2001, pp. 57-65.	
		Schwartz et al., "Electromagnetic Navigation During Flexible Bronchoscopy," <i>Respiration</i> , 2003, pp. 516-522.	
		Wolf et al., "The Medical Imaging Interaction Toolkit (MITK)" – A Toolkit Facilitating the Creation of Interactive Software by Extending VTK and ITK," <i>Proc. Of SPIE Vol. 5367</i> , 2004, pp. 16-27.	
		Vetter et al., "Navigation Aids and Real-Time Deformation Modeling for Open Liver Surgery," <i>Proc. Of SPIE Vol. 5029</i> , 2003, pp-58-68.	
		Schobinger et al., "Robuste Analyse von GefaBstrukturen Basis Einer 3D-Skelettierung," 2003, pp. 76-80.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 If possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.